

AMENDED IN SENATE APRIL 22, 2015

AMENDED IN SENATE MARCH 19, 2015

Senate Joint Resolution

No. 5

Introduced by Senator Nguyen

(~~Coauthor: Senator Hertzberg~~)

(*Coauthors: Senators Hertzberg and Huff*)

(Coauthors: Assembly Members Chávez, Chu, ~~and Kim Kim~~, and
McCarty)

March 10, 2015

Senate Joint Resolution No. 5—Relative to humanitarian resettlement.

LEGISLATIVE COUNSEL'S DIGEST

SJR 5, as amended, Nguyen. Vietnam: humanitarian resettlement.

This measure would urge Congress and the President of the United States to expand the Humanitarian Resettlement Program to allow disabled veteran officers of the South Vietnamese Army currently living in the Socialist Republic of Vietnam to enter the United States.

Fiscal committee: no.

- 1 WHEREAS, The Vietnamese-American community plays an
- 2 important role in the social, cultural, and economic landscape of
- 3 the State of California and the United States; and
- 4 ~~WHEREAS, The Socialist Republic of Vietnam's human rights~~
- 5 ~~violations and corrupt judicial system have resulted in the~~
- 6 ~~incarceration of peaceful dissidents without due process; and~~
- 7 ~~WHEREAS, Despite the renewal of diplomatic relations between~~
- 8 ~~the United States and the Socialist Republic of Vietnam in 1995,~~
- 9 ~~and the launching of the United States-Vietnam Comprehensive~~

1 ~~Partnership in July 2013, significant human rights violations~~
 2 ~~continue to persist; and~~

3 ~~WHEREAS, The Global Network for Rights and Development's~~
 4 ~~2014 International Human Rights Rank Indicator ranks the Socialist~~
 5 ~~Republic of Vietnam as one of the 15 countries who are the worst~~
 6 ~~offenders of human rights in the world; and~~

7 WHEREAS, The United States government and the American
 8 people have a commitment to assisting individuals that fought as
 9 allies in the Vietnam War and continue to face persecution and
 10 threats from the Communist government of the Socialist Republic
 11 of Vietnam; and

12 WHEREAS, The veterans of the South Vietnamese Army, also
 13 known as the Quân Lực Việt Nam Cộng Hòa, showed their
 14 commitment to the United States by fighting alongside the United
 15 States Armed Forces during the Vietnam War and have suffered
 16 greatly since April 30, 1975; War; and

17 WHEREAS, The Humanitarian Resettlement Program, ~~also~~
 18 ~~known as~~ and the Orderly Departure Program, ~~has~~ *have* allowed
 19 for the resettlement to the United States of former reeducation
 20 center detainees, former Vietnamese employees of the United
 21 States government, and former Vietnamese employees of private
 22 American companies and organizations prior to April 30, 1975;
 23 1975, and from 1997 to 2009, inclusive, sons and daughters of
 24 former Vietnamese were included in what became known as the
 25 McCain Amendment; and

26 WHEREAS, Disabled veterans of the South Vietnamese Army,
 27 also known as the Quân Lực Việt Nam Cộng Hòa, have suffered
 28 a lifetime of great challenges and discrimination. Yet, *some*
 29 disabled veterans were excluded from the Humanitarian
 30 Resettlement Program *and the Orderly Departure Program* because
 31 they were not detained in reeducation camps for the requisite
 32 number of years due to their physical disabilities; and

33 ~~WHEREAS, Thousands of disabled veterans of the South~~
 34 ~~Vietnamese Army, also known as the Quân Lực Việt Nam Cộng~~
 35 ~~Hòa, and their families are still living in the Socialist Republic of~~
 36 ~~Vietnam, facing continued persecution from the government,~~
 37 ~~including a lack of access to jobs, housing, and education; and~~

38 WHEREAS, April 30, 2015, marks the 40th year since the Fall
 39 of Saigon; and

1 WHEREAS,—~~Amending~~ *Promoting* the Humanitarian
2 Resettlement Program, ~~also known as~~ *and* the Orderly Departure
3 ~~Program;~~ *Program* to include disabled veterans of the South
4 Vietnamese Army, also known as the Quân Lực Việt Nam Cộng
5 Hòa, *and their sons and daughters*, would rightfully bring these
6 veterans *and their families* into a ~~program that was meant to include~~
7 ~~them but inadvertently left them out;~~ *programs that, by their terms,*
8 *excluded some disable veterans;* now, therefore, be it

9 *Resolved by the Senate and the Assembly of the State of*
10 *California, jointly,* That the Legislature respectfully urges the
11 President and the Vice President of the United States and the
12 United States Congress to ~~expand~~ *reauthorize* the Humanitarian
13 Resettlement Program *and the Orderly Departure Program* to
14 allow disabled veterans of the South Vietnamese Army *and their*
15 *families* currently living in the Socialist Republic of Vietnam to
16 *apply to* enter the United States; and be it further

17 *Resolved,* That the Secretary of the Senate transmit copies of
18 this resolution to the President and the Vice President of the United
19 States, to the Majority Leader of the Senate, to the Speaker of the
20 House of Representatives, and to each Senator and Representative
21 from California in the Congress of the United States, and to the
22 author for appropriate distribution.